

To: Sarah Flanagan/R2/USEPA/US@EPA[]
From: "Mack, Karyllan Dodson"
Sent: Tue 6/5/2012 12:10:11 AM
Subject: FW: RM 10.9 settling parties

Sarah- Please see the below summary.

From: DeStefano, Louis [mailto:louis.destefano@bipc.com]
Sent: Monday, June 04, 2012 5:15 PM
To: Mack, Karyllan Dodson
Cc: Hughes, Richard (RHughes)
Subject: RE: RM 10.9 settling parties

Karyllan:

In response to EPA's request for more information regarding TRMI-H LLC's nexus to the Newark Terminal, we provide the following:

The Newark terminal was owned by Getty Refining and Marketing Company (GRMC) at the time of the Texaco/Getty merger in December 1984. GRMC was used by Texaco Inc. to hold the merged company's refining and marketing assets. Consequently, the name of GRMC was changed to Texaco Refining and Marketing Inc. (TRMI) and the refining and marketing assets of Texaco Inc. were also transferred to TRMI. While these transfers were occurring, Texaco also divested many assets of the GRMC, including the Newark terminal. Even though it transferred ownership of the terminal, GRMC (now TRMI) retained responsible for certain legacy issues.

In 1989 Texaco Inc. undertook a restructuring which included the creation of a new Texaco Refining and Marketing Inc. (new TRMI) and the transfer of the then operating refining and marketing assets from the old TRMI to the new TRMI. Old TRMI continued to be responsible for certain legacy issues (including certain legacy issues allegedly associated with the Newark terminal). Its name was changed to TRMI Holdings Inc. which was later reorganized as TRMI-H LLC. TRMI-H LLC is the entity named as a third party defendant in the NJDEP v. Tierra et al action.

In executing the RM 10.9 AOC we are merely seeking to identify all the affiliates that might be considered "responsible" for the certain pre 1985 legacy issues associated with the Getty Newark terminal.

Lou

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